

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Nov 12, 2021**Eastern District of Washington**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Hollis Marion Woodward Case Number: 0980 1:19CR02026-SAB-1

Address of Offender: Harrah, Washington 98933

Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge

Date of Original Sentence: August 5, 2020

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. §§ 922(g)(1) and 924 (a)(2)

Original Sentence: Probation - 36 months Type of Supervision: Supervised Release

Probation Revocation Sentence: Prison - Time served
August 10, 2021 (23 days)
TSR - 36 Months

Asst. U.S. Attorney: Matthew Alan Stone Date Supervision Commenced: August 10, 2021

Defense Attorney: Craig Webster Date Supervision Expires: August 9, 2024

PETITIONING THE COURT

To incorporate the violation contained in this petition in future proceedings with the violations previously reported to the Court on October 29, 2021.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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6	<u>Special Condition #3:</u> You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.
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Supporting Evidence: Mr. Woodward is alleged to have violated his conditions of supervised release by consuming a controlled substance, methamphetamine, on or before October 26, 2021.

On October 1, 2021, supervised release conditions were reviewed and signed by Mr. Woodward acknowledging his understanding of special condition number 3, as noted above.

On October 25, 2021, Mr. Woodward's color was called for the Merit random drug testing color line program. Mr. Woodward is subject to three random drug tests per month. Mr. Woodward failed to show or make contact with Merit for his drug test on October 25, 2021. This officer made telephone contact with him on October 26, 2021, regarding his missed

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drug test. Mr. Woodward's wife answered the telephone and stated he was cutting wood on October 25, 2021. This officer then spoke with Mr. Woodward who stated he did not have transportation as he could not get any of his vehicles running. This officer directed Mr. Woodward to go to Merit and submit a make up drug test. This officer was contacted by Merit via telephone that same date, advising Mr. Woodward submitted a presumptive positive drug test for methamphetamine. Mr. Woodward signed a drug use denial form. The drug test was sent to Abbott Laboratory for testing. Results were received from Abbott Laboratory on November 3, 2021, reflecting a confirmed positive reading for methamphetamine.

- 7 **Special Condition #2:** You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the Court. You must contribute to the cost of treatment according to your ability to pay. You must allow reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: Mr. Woodward is alleged to have violated his conditions of supervised release by failing to attend his aftercare appointment with Merit Resource Services (Merit) on November 4, 2021.

On October 1, 2021, supervised release conditions were reviewed and signed by Mr. Woodward acknowledging his understanding of special condition number 2, as noted above.

Mr. Woodward's probation was revoked by the Court on August 10, 2021. Mr. Woodward was ordered to enter into long term inpatient treatment at American Behavioral Health Services (ABHS) in Spokane, Washington, on August 16, 2021, to which he complied. He completed inpatient treatment on September 30, 2021, and returned to his residence in Harrah, Washington. Prior to leaving ABHS, his treatment counselor scheduled an aftercare appointment for him with Merit in Toppenish, Washington, for October 8, 2021. Mr. Woodward failed to show for his appointment on October 8, 2021. Merit rescheduled his appointment to October 28, 2021. On October 28, 2021, Mr. Woodward called Merit advising he was sick. Merit rescheduled his appointment a second time to November 4, 2021. On November 4, 2021, this officer was contacted by Merit advising Mr. Woodward called and stated he was sick. Per Merit, they informed Mr. Woodward his file was being closed with their office and he would need to secure a new assessment.

- 8 **Special Condition #3:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Woodward is alleged to have violated his conditions of supervised release by consuming a controlled substance, methamphetamine, on or before November 8, 2021.

On October 1, 2021, supervised release conditions were reviewed and signed by Mr. Woodward acknowledging his understanding of special condition number 3, as noted above. On November 4, 2021, this officer made contact with Mr. Woodward and directed him to report to the probation office for a random drug test on November 5, 2021, by 3 p.m. At 3:45

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p.m., Mr. Woodward contacted the probation office and stated he was at the Indian Health Clinic with a sinus infection and did not have transportation to the probation office.

On November 8, 2021, this officer made contact with Mr. Woodward and directed him to report to the probation office by 2 p.m. and bring his medical documents with him. Mr. Woodward reported to the probation office as directed and provided a doctor's note reflecting he was seen for a sinus infection on November 5, 2021. A random drug test was collected, which tested presumptive positive for methamphetamine. The sample was sealed in front of Mr. Woodward and sent to Abbott Laboratory for testing. Mr. Woodward denied any drug use. As of the submission of this report, results for this drug test are pending.

The U.S. Probation Office respectfully recommends the Court to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 11/10/2021

s/Linda J. Leavitt

Linda J. Leavitt
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

11/12/2021

Date